Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

AMENDMENTS TO THE CLAIMS

Kindly amend claims 1, 10, 19, 27, 32, and 35 as shown in the following listing of claims. The listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1.   (Currently Amended) An apparatus for determining an optimum promotion plan for merchandising of products for sale, comprising:

    a scenario/results processor, configured to enable a user to prescribe an optimization scenario, and configured to present the optimum promotion plan to said user, wherein the optimum promotion plan is determined by execution of said optimization scenario;

    a demand engine, coupled to said scenario/results processor, configured to model relationships between potential prices of the products and market demand for the products, wherein said potential prices correspond to potential promotion events and potential supplier offers;

    an activity based cost engine, coupled to said demand engine, configured to estimate demand chain costs for the products based upon said market demand, wherein said demand chain costs include fixed and variable costs for the products for sale; and

    a promotion optimization engine, coupled to said demand engine and said activity based cost engine, configured to employ said market demand and said demand chain costs to determine the optimum promotion plan, wherein the optimum promotion plan maximizes a merchandising performance figure of merit according to said optimization scenario, and wherein the optimum promotion plan comprises a subset of said promotion events and potential supplier offers.

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

2.   (Original) The apparatus as recited in claim 1, wherein said scenario/results
processor comprises:

an input/output processor, configured to acquire data corresponding to said
optimization scenario from said user, and configured to distribute
optimization results to said user; and

a scenario controller, coupled to said input/output processor, configured to control
the acquisition of said data and the distribution of said optimization results
in accordance with a promotion plan optimization procedure.

3.   (Original) The apparatus as recited in claim 2, wherein said data is acquired from
said user over the Internet via a packet-switched protocol.

4.   (Original) The apparatus as recited in claim 3, wherein said packet-switched
protocol comprises TCP/IP protocol.

5.   (Original) The apparatus as recited in claim 2, wherein said data is interactively
provided by and said optimization results are interactively distributed to said user.

6.   (Original) The apparatus as recited in claim 5, wherein said data is acquired from
a source electronic file and said optimization results are distributed to a
destination electronic file, said electronic files being designated by said user.

7.   (Original) The apparatus as recited in claim 2, wherein said input/output processor
comprises:

a template controller, configured to provide first promotion plan optimization
templates and second promotion plan optimization templates, wherein said
promotion plan optimization templates are presented to said user to allow
for prescription of said optimization scenario, and for distribution of said
optimization results; and

a command interpreter; configured to extract commands from said first promotion
plan optimization templates executed by said user, and configured to
populate said second promotion plan optimization templates according to
result data provided for presentation to said user.

Page 11 of 30

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

8. (Original) The apparatus as recited in claim 7, wherein said first and second promotion plan optimization templates are provided according to hypertext markup language (HTML).

9. (Original) The apparatus as recited in claim 7, wherein said first and second promotion plan optimization templates are provided according to extensible markup language (XML).

10. (Currently Amended) The apparatus as recited in claim 7, wherein said first and second promotion plan optimization templates are provided as~~Java applets~~ applets.

11. (Original) The apparatus as recited in claim 7, wherein said first promotion plan optimization templates comprise:

a plurality of new scenario templates, configured to enable said user to prescribe scenario parameters corresponding to said optimization scenario.

12. (Original) The apparatus as recited in claim 11, wherein said plurality of new scenario templates comprises:

a promotion event configuration template, for prescribing said potential promotion events.

13. (Original) The apparatus as recited in claim 12, wherein said plurality of new scenario templates further comprises:

a supplier offer configuration template, for prescribing said potential supplier offers.

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

14.   (Original) The apparatus as recited in claim 12, wherein said plurality of new scenario templates further comprises:

    a promotion scenario configuration template, for associating said potential promotion events to the products, wherein said promotion scenario configuration template allows said user to specify a forward buy method, allowable potential supplier offers, rules that constrain said optimization scenario, and store merchandising capacities.

15.   (Original) The apparatus as recited in claim 12, wherein said plurality of new scenario templates further comprises:

    an optimization template, for specifying a promotion scenario and a time period for which the optimum promotion plan is to be determined.

16.   (Original) The apparatus as recited in claim 7, wherein said second promotion plan optimization templates comprise:

    an optimization results template, for providing said user with said result data corresponding to said optimization scenario.

17.   (Original) The apparatus as recited in claim 16, wherein said result data comprises selected ones of said potential promotion events and selected ones of said potential supplier offers.

18.   (Original) The apparatus as recited in claim 17, wherein said result data is presented graphically.

19.   (Currently Amended) A method for optimizing a promotion plan for merchandising products, comprising:

    utilizing a computer-based scenario/results processor within an optimization server to present a sequence of data entry templates to a user, whereby the user specifies an optimization scenario;

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

within the optimization server, modeling the relationship between potential prices
of the products and market demand for the products, wherein the potential
prices correspond to potential promotion events and potential supplier
offers;

within the optimization server, estimating demand chain costs for the products
according to the modeled market demand, wherein the demand chain costs
include fixed and variable costs for the products;

within the optimization server, employing the market demand and the demand
chain costs to determine optimum promotion events and optimum supplier
offers, wherein the optimum promotion events and optimum supplier
offers maximize a merchandising performance figure of merit according to
the optimization scenario; and

generating a plurality of optimization results templates and providing these
templates to the user, wherein the optimum promotion events and
optimum supplier offers are presented.

20.   (Original) The method as recited in claim 19, wherein said utilizing comprises:

acquiring data corresponding to the optimization scenario from the user; and

formatting the data into a format suitable for performing a promotion plan
optimization according to the optimization scenario.

21.   (Original) The method as recited in claim 20, wherein said acquiring comprises:

obtaining the data from the user over a data network that employs a packet-
switched protocol.

22.   (Original) The method as recited in claim 21, wherein said acquiring further
comprises:

employing TCP/IP protocol to obtain the data over the Internet.

23.   (Original) The method as recited in claim 20, wherein the data is interactively
provided by the user.

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

24. (Original) The method as recited in claim 20, wherein the data is acquired from a source electronic file that is designated by the user.

25. (Original) The method as recited in claim 19, wherein the data entry templates and the optimization results templates are generated in hypertext markup language (HTML).

26. (Original) The method as recited in claim 19, wherein the data entry templates and the optimization results templates are generated in extensible markup language (XML).

27. (Currently Amended) The method as recited in claim 19, wherein the data entry templates and the optimization results templates are generated as ~~Java applets~~applets.

28. (Original) The method as recited in claim 19, wherein said utilizing comprises:

first providing a promotion event configuration template, for prescribing the potential promotion events; and

second providing a supplier offer configuration template, for prescribing the potential supplier offers.

29. (Original) The method as recited in claim 28, wherein said utilizing further comprises:

third providing a promotion scenario configuration template, for associating the potential promotion events to the products, wherein said third providing comprises:

specifying a forward buy method;

enabling/disabling certain ones of the potential supplier offers;

adding rules and constraints to the optimization scenario; and

indicating store merchandising capacities.

30.   (Original) The method as recited in claim 19, wherein said utilizing comprises:

        providing an optimization template, for specifying a promotion scenario and a time period for which the optimum promotion plan is to be determined.

31.   (Original) The method as recited in claim 19, wherein said generating comprises:

        providing an optimization results template, for supplying the user with scenario results corresponding to the optimization scenario, wherein the scenario results include selected ones of the potential promotion events and selected ones of the potential supplier offers.

32.   (Currently Amended) A method for generating an optimum promotion plan, the optimized promotion plan corresponding to a set of products, a set of promotion events, and a set of supplier offers, the method comprising:

        within a centralized data base, storing product attribute and sales history data for a plurality of stores, wherein the product attribute and sales history data corresponds to the set of products;

        first employing a web server to allow a plurality of supplier computers to prescribe the supplier offers;

        second employing a web server to provide a user computer with a plurality of scenario/result web pages, the plurality of scenario/result web pages enabling a user to prescribe the promotion events and constraints for generating the optimum promotion plan, wherein the user computer executes a thin web client to access the scenario/result web pages; and

        determining the optimum promotion plan to maximize either net profit, revenue, or volume, wherein said determining uses both modeled market demand and estimated demand chain costs corresponding to the set of products, <u>and wherein the estimated demand chain costs include fixed and variable costs corresponding to the set of products</u>.

Application No. 09/849621(Docket: DT.0102)
37 CFR 1.111 Amendment dated 01/09/2006
Reply to Office Action of 10/13/2005

33.   (Original)The method as recited in claim 32, wherein said first employing comprises:

        providing the scenario/result web pages over the Internet via a packet-switched protocol.

34.   (Original) The method as recited in claim 33, wherein the scenario/result web pages are provided in hypertext markup language (HTML).

35.   (Currently Amended) The method as recited in claim 33, wherein the scenario/result web pages are provided as ~~Java applets~~applets.